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be done for or without cause. The first term hereunder shall be for two years, commencing August 1, 1910, all succeeding terms to be two years, beginning August 1 of the year selected.

16. The board of health as now constituted is hereby abolished, to take effect on August 1, 1910, at which time the present board of health shall turn over to the board of health provided for herein all records, property, and papers belonging to the city in its possession.

17. The board of health shall have authority to call upon the city solicitor and city engineer for any information desired.

18. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

19. This ordinance to be in effect on and after its passage. [Ordinance approved May 16, 1910.]

CHICOPEE, MASS.

GARBAGE, RUBBISH, AND ASHES—REMOVAL OF.

1. The board of health shall, at least once in each month, remove or require to be removed from the cellars and yards of dwellings, all rubbish, waste material, ashes, and decaying vegetable and animal matter which is collected or stored in such places. They may make contracts for the removal of such rubbish with the approval of the mayor, or if an appropriation be made therefor, said board of health may purchase teams and employ men and teams for that purpose; but no expense shall be incurred above the amount of the appropriation therefor. But this shall not prevent the removal of ashes and other waste material by the owner or occupant of the premises, if the premises are kept clean to the satisfaction of the agent of the board of health.

2. The board of health may make regulations and rules in reference to the accumulation of ashes, rubbish, and other material, the place and condition where the same may be temporarily kept or stored until removed, how they shall be left or prepared for removal, and times of removal.

3. Whoever obstructs any contractor or employee of the city in the removal of said materials, scatters the same about, or refuses to obey the rules and regulations of the board of health in reference to the accumulation or removal of ashes, rubbish, waste material, and decaying vegetable or animal matter, shall be punished by fine not exceeding \$20 and the agent of the board of health shall make all complaints. [Ordinance passed Dec. 19, 1910.]

FORT WAYNE, IND.

MEAT INSPECTION.

SECTION 1. No person slaughtering animals for human consumption, raised by such person, and which person is not regularly engaged in the business of conducting a slaughterhouse and is not regularly engaged in the business of selling the flesh of animals for human consumption, shall be required to obtain from the city of Fort Wayne a license to sell the flesh of such animals so raised by such person; but the flesh of such animal or animals, before being sold or offered for sale, shall first be brought to the south end of the city hall of said city and shall there be submitted to the board of health for inspection as to purity and sound condition.

SEC. 2. Any person, company, or corporation failing to comply with or violating any of the provisions of this ordinance shall, upon conviction, be fined in the sum of not less than \$25 nor more than \$100. [Ordinance passed Apr. 26, 1910.]

LYNN, MASS.

PROTECTION OF FOODSTUFFS.

No person shall offer or expose for sale any fruit, confectionery, or other substance or article intended for immediate consumption without the requirement of any preliminary process of cooking, unless the same shall have been covered and protected by glass or other material to prevent the deposit thereon of dust particles and noxious germs carried by the atmosphere. [Regulation, board of health, adopted Nov. 16, 1910.]

HOUSTON, TEX.

ICE CREAM—REGULATION OF THE MANUFACTURE.

SECTION 1. From and after the 25th day of July, 1910, it shall be unlawful for any person, firm, or corporation to manufacture in the city of Houston ice cream for the purposes of sale unless such person, firm, or corporation shall have the license here-

inafter described authorizing him to manufacture ice cream for the purposes of sale, and unless such person, firm, or corporation shall have the certificate of the health department of the city of Houston, hereinafter described, to the effect that said establishment is being conducted in accordance with the city ordinances.

Any person, firm, or corporation violating this section of this ordinance shall upon conviction thereof in the corporation court be subject to a fine of not less than \$50 nor more than \$200 for each offense, and it shall be a separate offense each day that ice cream is manufactured for sale or sold without such license or without such certificate of the health department.

SEC. 2. From and after July 25, 1910, it shall be unlawful for any person, firm, or corporation engaged in the manufacture of ice cream for purposes of sale to conduct said business unless the certificate of the health department, mentioned in the above section, is posted in the place of business where it can be plainly seen by every person coming to said place of business, and after the said date it shall be unlawful for any person to purchase ice cream from any establishment which is not duly licensed, as herein provided, by the city of Houston, or to purchase ice cream from any person who does not have posted conspicuously in a public place, where it can be plainly seen, the certificate of the health department provided for in this ordinance; and any person violating this section of this ordinance shall, upon conviction therefor in the corporation court, be fined in any sum not less than \$5 nor more than \$50 for each offense.

SEC. 3. Any person, firm, or corporation who desires to engage in the business of manufacturing ice cream for sale in the city of Houston, after July 25, 1910, must before engaging in said business apply to the city of Houston for an inspection of their premises and apparatus by the health department of the city of Houston, and for a permit to engage in said business before they shall commence the manufacture or sale of ice cream.

Upon said application being filed with the city secretary, the mayor or council shall cause the premises and apparatus where said business is proposed to be conducted to be thoroughly examined by the city health officer, and the said business and place of business shall come up to the following specifications with respect to the place of business; persons engaged in same and the mode of conducting same; and unless parties applying for the permit can show a strict compliance with the requirements of this ordinance, no permit to engage in said business shall be issued.

The said requirements, without which no permit shall issue, are as follows:

1. The ice-cream plant must be properly screened.
2. The floors, walls, and ceilings must be sanitary.
3. The water-closets and urinals must be separate from the plant.
4. The room used for mixing cream must be close-ceiled, properly ventilated, and screened, and with no unsanitary surroundings or neighborhood.
5. The utensils used in the manufacture or distribution of the cream must be of porcelain or granite ware and in good condition.
6. All labor employed in or about the said establishment and all persons engaged in said manufacture or sale must be cleanly both in person and attire.
7. Every person or employee connected with the business shall wear a suitable garb and be free from disease.
8. The cans must be sterilized at a temperature of 212° F., and for not less than 15 minutes, and a suitable room must be provided where sterilized cans can be kept where their sterility will be maintained.
9. No ice cream shall ever be returned or exchanged after once leaving the plant.
10. Aniline dyes must not be used, nor must same be found in the ice-cream plant.
11. No one, with the exception of the employees, shall be permitted in the plant, except on official business.
12. The ingredients that are used in the manufacture of the ice cream must be fresh and properly preserved, and under no circumstances shall decayed or overripe fruit ever be used in the manufacture of the cream.

In the event any person, firm, or corporation now engaged in the business of manufacturing ice cream for sale in the city of Houston fails to comply with these requirements, the city of Houston shall refund to such person, firm, or corporation such portion of any license fee paid to the city of Houston as the unexpired time of said old license after the date of July 25, 1910, bears to the time of said license already passed. But the city shall be under no obligation to refund such portion of license tax heretofore paid unless the party entitled thereto applies for same in writing, stating in such application that they have gone out of business.

In the event any person, firm, or corporation, who has complied with the requirements of this ordinance and received a permit or license to conduct the said business, should at any time thereafter violate or disregard any of the requirements above named, the city council shall have the right to cancel the license granted and require said

persons to discontinue business, and in addition to this remedy, if any person, firm, or corporation engaged in the business of manufacture of ice cream for the purposes of sale in the city of Houston, shall at any time neglect or violate any of the requirements or specifications above named, they shall for each offense, on conviction thereof in the corporation court, be punished by a fine of not less than \$10 nor more than \$200 for each offense, and in the event the business of the manufacture of cream is conducted by a corporation, then in such event in each case of violation of this ordinance, or any of its terms, it shall be a separate offense both in the corporation and the manager or person in charge of said business, and in the individual or individuals who are concerned in the violation thereof.

SEC. 4. Any person, firm, or corporation engaged in the manufacture of ice cream for purposes of sale in the city of Houston, after the 25th day of July, 1910, must on the first day of each month apply to the health department of the city of Houston for inspection of their premises and appliances, which inspection shall be made without delay by the health officer, or some person designated by him, and if said place and the conduct of said business is found by the health officer to be in accordance with the requirements of this ordinance, then the health officer shall issue to said person, firm, or corporation a printed certificate to the effect that the said business and place of business has been inspected by him, giving the date of such inspection, and that the said business is being conducted in accordance with the ordinances of the city of Houston, and it shall be unlawful for the person, firm, or corporation to conduct said business unless said certificate is issued by the said health officer and is posted in said establishment where it will be visible to every person entering the establishment; and the person engaged in such business shall pay for each certificate the sum of \$1.

SEC. 5. If any person, firm, or corporation engaged in the manufacture of ice cream, for purposes of sale in the city of Houston, shall manufacture ice cream, and if said ice cream shall cause any person or persons to be affected with ptomaine poisoning, then the manufacturer of such cream shall be guilty of an offense, and in such event it shall be a separate offense in the person, firm, or corporation manufacturing said cream for each person who is affected with ptomaine poisoning, and, upon conviction therefor in the corporation court, the person, firm, or corporation manufacturing said cream shall be punished by a fine of not less than \$50 nor more than \$200 for each person or individual so poisoned.

It shall be sufficient to sustain a conviction under this section of this ordinance to show that the defendant manufactured the ice cream, and that some individual or person upon eating same developed ptomaine poisoning, and the burden shall be upon the defendant to show that said ptomaine poisoning was due to the misuse or abuse of the cream by some third party after it left the establishment of the defendant, and if the defendant shall show that the poisoning of the person due to the act or neglect of some other person after the cream had left his establishment, and that the manufacture of the particular cream was conducted in all respects in strict accordance with the requirements of this ordinance, these facts, when so established, shall constitute a defense to the prosecution for causing ptomaine poisoning.

SEC. 6. This ordinance is intended to be supplementary to any ordinances on the subject matter heretofore passed by the city council. It is not intended to repeal ordinances prescribing the tax for persons engaged in the manufacture of ice cream. The purpose of this ordinance being for regulation and for the protection of the public.

SEC. 7. Whereas, there is a public emergency requiring that this ordinance shall be passed immediately, and the mayor, having in writing declared such emergency, and requested that this ordinance be passed finally on the date of its introduction, the rules are hereby accordingly suspended, and this ordinance shall take effect and be in full force and effect on and after this day of its introduction and passage.

SEC. 8. The passage of this ordinance shall not have the effect to exempt or relieve any person from prosecution for violation of the city ordinance in existence at any time previous to July 25, 1910. [Ordinance approved June 23, 1910.]